



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct Public Hearing to consider the Planning Commission's recommendation that the City Council adopt a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a Prezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN No. 058-030-01 and to initiate annexation of the property into the City of Lodi.

MEETING DATE: March 7, 2001

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council approve the Planning Commission's recommendation that the City Council adopt a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a Prezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN No. 058-030-01 and to initiate annexation of the property into the City of Lodi.

BACKGROUND: On December 13, 2000, the Lodi Planning Commission conducted a public hearing on a proposed annexation of roughly 15.5 acres of property adjacent to the extreme southwest corner of the City. Also part of the proposal was a General Plan Amendment request to change from a PR, Planned Residential designation to NCC, Neighborhood Community Commercial, and a Prezoning request to assign a C-S zoning classification.

The rectangular shaped approximately 52-acre parcel at issue, assessor's number 058-030-01, is located at 302 State Route 12, west of the intersection of Lower Sacramento Road and Kettleman Lane (State Highway 12). At present, the subject parcel lies outside the City of Lodi boundaries in the jurisdiction of San Joaquin County, and the eastern edge of the subject parcel abuts the existing City limits of Lodi. If approved, a portion of the parcel 1,246 feet long and 545-feet-wide will become part of the City while the remainder (roughly 36.5 acres) will still be under the jurisdiction of San Joaquin County.

The Annexation, General Plan Amendment, and Prezoning are the first steps necessary to develop this property if it is to be done within the City of Lodi. As planned, the western terminus of the portion of the subject parcel in question will be the edge of a planned north-south running minor collector street with a signalized intersection at Kettleman Lane. This street will serve development on both the north and south sides of Kettleman Lane including the subject site.

APPROVED: _____


H. Dixon Flynn -- City Manager

The area of the annexation is included in the City's sphere of influence and the General Plan, meaning the City has expectations about development at this location. We have anticipated growth and expansion of City boundaries here, and are planning to accommodate this property with City utilities and other services, so it makes sense to all parties involved that prior to any development, the property be brought under the auspices of the City.

FUNDING: None required

A handwritten signature in black ink, appearing to read 'KB', with a long horizontal line extending to the right.

Konradt Bartlam
Community Development Director

Prepared by: Eric W. Veerkamp, Associate Planner

Attachments

RESOLUTION NO. P.C. 00-28

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
RECOMMENDING APPROVAL OF THE REQUEST OF LODI SOUTHWEST
ASSOCIATES, FOR A GENERAL PLAN LAND USE AMENDMENT, GPA-LU CHANGING
THE DESIGNATION FROM PR, PLANNED RESIDENTIAL TO NCC, NEIGHBORHOOD
COMMUNITY COMMERCIAL, FOR A 15.5 ACRE PORTION OF THE PROPERTY
LOCATED AT 302 STATE ROUTE HIGHWAY 12, APN NO. 058-031-01.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan Land Use Amendment in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the property is located at 302 State Route Highway 12, Lodi, CA 95242, Assessor's Parcel No. 058-030-01;

WHEREAS, the project proponent is Lodi Southwest Associates, located at 301 South Ham Lane, Lodi, CA 95242

WHEREAS, the property has a General Plan designation of PR, Planned Residential;

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-00-11 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that the parcel to be redesignated is the parcel located at 302 State Route Highway 12, Lodi, CA 95242, Assessor's Parcel No. 058-030-01.
3. It is found that the requested General Plan Land Use Amendment for this property is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.
4. The Planning Commission of the City of Lodi hereby recommends approval of the requested General Plan Land Use Amendment at 302 State Route Highway 12, Lodi, CA 95242, Assessor's Parcel No. 058-030-01 to the City Council of the City of Lodi, subject to the following additional conditions:
 - a) Prior to or concurrent with final approval of this General Plan Land Use Amendment action by the Lodi City Council, the applicant shall process or cause to be processed a Lot Line Adjustment creating a new parcel boundary corresponding with the portion of the subject property annexed.

The Public Works Department has the following comments regarding the proposed General Plan Amendment changing the subject parcel from PR, Planned Residential to NCC, Neighborhood Community Commercial:

- a.i) There are currently no public storm drainage facilities to serve this parcel.
- a.ii) Although the adjacent parcel to the east lies within the wastewater service area served by the existing wastewater trunk line in Lower Sacramento Road, under the current sanitary sewer master plan, the area proposed for annexation lies within a wastewater service area which is to receive service from a future trunk line to be constructed along the westerly boundary of the current General Plan. Detailed engineering analysis will be required to determine the actual sewer service location.
- a.iii) The Lodi Westside Master Plan currently being developed for properties west of Lower Sacramento Road and adjacent to and north of Kettleman Lane (Highway 12) includes a minor collector street with traffic signal control at Kettleman Lane which will affect the subject parcel. The proposed street alignment will extend both north and south of Kettleman Lane and the projected right-of-way is 74 feet. Street right-of-way dedications will be required along the west property line of the subject site to accommodate these improvements and a more detailed traffic study will be required to determine actual right-of-way requirements.

Dated: December 13, 2000

I hereby certify that Resolution No. 00-28 was passed and adopted by the Planning Commission of the City of Lodi at a meeting held on December 15, 2000, by the following vote:

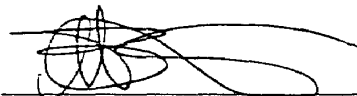
AYES: Commissioners: Borelli, Crabtree, Heinitz, Mattheis, and Chairman McGladdery

NOES: Commissioners: Beckman

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners:

ATTEST:



Secretary, Planning Commission

RESOLUTION NO. P.C. 00-29

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
RECOMMENDING APPROVAL OF THE REQUEST OF LODI SOUTHWEST
ASSOCIATES, FOR A PREZONING FROM , AU-20, AGRICULTURAL URBAN RESERVE
TO CS, COMMERCIAL SHOPPING, FOR A 15.5 ACRE PORTION OF THE PROPERTY
LOCATED AT 302 STATE ROUTE HIGHWAY 12, APN NO. 058-030-01**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Prezoning in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the property is located at 302 State Route Highway 12, Lodi, CA 95242, Assessors Parcel No. 058-030-01;

WHEREAS, the project proponent is Lodi Southwest Associates, Lodi, CA 95242;

WHEREAS, the property has a Zoning designation of AU-20, Agricultural Urban Reserve (San Joaquin County);

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-00-11 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that the parcel to be prezoned is the parcel located at 302 State Route Highway 12, APN No. 058-030-01.
3. It is found that the requested Prezoning for this property is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.
4. Conditions contained in Resolution No. 00-28 for the General Plan Land Use Amendment portion of this application shall be considered part of this Resolution and shall be in full force and effect.

The requested Prezoning is hereby approved subject to the following additional conditions:

Public Works Department has the following additional comments regarding the proposed Prezoning of the subject parcel from AU20 to CS:

- a) Public Works conditions are enumerated on Resolution No. 00-28.

Dated: December 13, 2000

I hereby certify that Resolution No. 00-29 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on December 13, by the following vote:

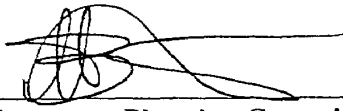
AYES: Commissioners: Borelli, Crabtree, Heinitz, Mattheis, and Chairman
McGladdery

NOES: Commissioners: Beckman

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners:

ATTEST:


Secretary, Planning Commission

Commissioner McGladdery asked if the restaurant would compete with any Downtown businesses. Community Development Director responded that only new restaurant buildings were subject to be reviewed for impact to the downtown area, and not existing buildings. Commissioner McGladdery then asked where the other alcohol licenses were located. Mr. Bartlam responded that within the shopping center there was Applebee's, Strings, and Me & Ed's Pizza. He further noted that other census tracts throughout the City are over-concentrated, it all depends on the population of the area.

Hearing Opened to the Public

No one came forward to speak on the matter.

Hearing Closed to the Public

The Planning Commission on motion of Commissioner Crabtree, Borelli second, approved to allow a Type-41 license for the new Pineapple Restaurant located at 2314 W. Kettleman Lane subject to the conditions set forth in the resolution by the following vote:

AYES: Commissioners: Borelli, Crabtree, Heinitz, Mattheis, and Chairman McGladdery

NOES: Commissioners: Beckman

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners

The request of Lodi Southwest Associates for 1) a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a Rezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN No. 058-030-01. This item was presented to the Commission by Associate Planner Veerkamp. The rectangular shaped parcel is located on 302 State Route 12, west of the intersection of Lower Sacramento Road and Kettleman Lane. A portion (15.5 acres) of the current 52-acre parcel is being planned to be annexed in to the City of Lodi. The remainder (36.5 acres) would still be under the jurisdiction of San Joaquin County.

The intersection of Lower Sacramento Road and Kettleman Lane is unofficially known as the "Four Corners." Both the northeast and southeast corner of this intersection contains shopping centers anchored by major retailers. Currently, plans are in the works to develop the northeast corner into a shopping center as well. With approval of the proposed annexation and land use amendments, this will prepare the property to accommodate commercial shopping center uses in a similar fashion to the existing commercial, retail and services businesses located east of the subject property. A shopping center was previously planned on the 21-acre site located at the southwest corner of Lower Sacramento Road and State Route 12. Now the shopping center will be bigger by 15.5 acres.

The City has anticipated growth and expansion of City boundaries in the subject area and are prepared to accommodate this property with City utilities and other services. Along the western portion of the parcel, there will be a north-south running minor collector street with a signalized intersection at Kettleman Lane. This street will serve development on both the north and south side of Kettleman Lane and the subject site. A City electric substation is also planned just west of the subject annexation. Staff was recommending approval of the project.

Commissioner Beckman voiced concern about the traffic congestion problems already present at the intersection of Lower Sacramento Road and State Route 12. He asked staff when future improvements would be done to alleviate the congested area. Community Development Director Bartlam responded that at the next City Council meeting, they would be approving the plans and specifications for Lower Sacramento Road improvements. Mr. Bartlam further noted that there would be improvements made to Kettleman Lane in the near future.

Commissioner Crabtree asked if the annexation might violate the Downtown Ordinance. Mr. Bartlam responded that the policy requires an economic impact analysis at the time of a project's proposal. At the present time no project was being proposed for the site. He further shared that the initiation of the annexation was for a much needed north-south collector street with a signalized intersection.

Commissioner Borelli pointed out that Downtown businesses were under the impression that any new business under 5,000 square feet would need to be located downtown. Mr. Bartlam responded that the requirement was a suggestion through the concept plan and not something the City Council had ever approved. He further mentioned that the City needs to provide for "big box" stores, and smaller parcels do not provide ample room.

Commissioner Crabtree was concerned about opening the "flood gate" for commercial development when on the other hand the City was trying to create a greenbelt surrounding the City. He asked staff why the annexation had to take place now and was there a critical need for the property? Mr. Bartlam responded that the need was not critical; however, the City has projected growth in the area. With the collector street present, it would make the parcel more marketable to commercial developers.

Hearing Opened to the Public

Randy Snider, 2328 Brittany Lane. He was in agreement with the proposal and felt it was good planning on the part of the City. He noted that the collector street would be beneficial to traffic circulation in the area.

Lori McIntosh, 301 S. Ham Lane. She pointed out that the 20 acres located on the southwest corner was a deep parcel, which limits marketability of the property. The annexation would "square-up" the parcel so that more options could be created for placement of a "big box" on the property.

Hearing Closed to the Public

Commissioner Mattheis stated that Highway 12 was the gateway to City and would like future developments at the shopping centers to be more unique in placement and design of their buildings.

The Planning Commission on motion of Commissioner Mattheis, Heintz second, approved the General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial by the following vote:

AYES: Commissioners: Borelli, Crabtree, Heintz, Mattheis, and
Chairman McGladdery

NOES: Commissioners: Beckman

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners

The Planning Commission on motion of Commissioner Mattheis, Heintz second, approved the Prezone from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping by the following vote:

AYES: Commissioners: Borelli, Crabtree, Heintz, Mattheis, and
Chairman McGladdery

NOES: Commissioners: Beckman

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners

The request of the Lodi Unified School District for approval of rezoning parcels 015-170-10 & 015-230-07 from San Joaquin County P-F, Public Facilities to PUB, Public for property located at 18500 N. Lilac Street, Woodbridge (Woodbridge Middle School). This item was presented to the Commission by Community Development Director Bartlam. He mentioned that the subject rezoning was the first step in the annexation of Woodbridge Middle School to the City of Lodi. A General Plan Amendment wasn't necessary because the proposed zoning designation is consistent with the City's General Plan land use designation. The main reason for Lodi Unified School District's (LUSD) annexation request is primarily for public utility services. LUSD is currently receiving water from the City of Lodi, as their wells have not been functional for their purposes for a number of years. LUSD pays a 50% premium for the water service from the City. The Lodi Municipal Code does not allow for sewer services outside of the City limits for sanitary sewer purposes. In order to provide sewer services to the school, it must be located within the City limits. The school is also interested in taking advantage of the City's police services, in particular the School Resource Officer Program, which provides drug awareness and crime prevention activities. For fire services, the school is currently serviced by the Woodbridge Fire District and the service will remain unchanged. Staff was recommending approval of the prezone.



MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission
From: Community Development Department
Date: December 13, 2000
Subject: Request of Lodi Southwest Associates for 1) a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a Rezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN No. 058-030-01.

SUMMARY

In its simplest form, the project is the annexation of roughly 15.5 acres of property adjacent to the extreme southwest corner of the City. Also part of the project is a General Plan Amendment request to change from a PR, Planned Residential designation to NCC, Neighborhood Community Commercial, and a Rezoning request to assign a C-S zoning classification. No development proposal has been put forth at this time to accompany the annexation request. In all likelihood, a shopping center encompassing both the subject site and the 21-acre parcel on the corner will be built in the near future.

The rectangular shaped approximately 52-acre parcel at issue, assessor's number 058-030-01, is located at 302 State Route 12, west of the intersection of Lower Sacramento Road and Kettleman Lane (State Highway 12). At present, the subject parcel lies outside the City of Lodi boundaries in the jurisdiction of San Joaquin County, and the eastern edge of the subject parcel abuts the existing City limits of Lodi. As requested, a portion of the subject site roughly 15.5 acres in size, is planned for annexation to the City of Lodi. If approved, upon completion of the annexation, a portion of the parcel 1,246 feet long and 545 feet wide will become part of the City while the remainder (roughly 36.5 acres) will still be under the jurisdiction of San Joaquin County.

To prepare the land for commercial development, Lodi Southwest Associates has applied for annexation to the City of Lodi, for a General Plan Land Use Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial, and for a Rezoning from AU-20 (County zoning), to CS, Commercial Shopping. Specific uses permitted within the future shopping center as well as the design of the shopping center itself will be determined through subsequent Use Permit and Site Plan and Architectural Review Committee (SPARC) applications.

BACKGROUND

The property around the intersection of Lower Sacramento Road and Kettleman Lane is unofficially known as the "Four Corners". Most of the City's new commercial, retail, and services businesses are being built here. Both the northeast and southeast corners of this intersection contain shopping centers anchored by major retailers. The balance of both sites is made up of other smaller retail pads, restaurants, gas stations, etc. Currently, plans are in the works to develop the northwest corner into a shopping center as well. With approval of the proposed annexation and land use amendments, this will prepare the property to accommodate commercial shopping center uses in a similar fashion to the existing corners. A shopping center was previously planned to on the 21-acre corner parcel, so the face of development is not changing dramatically. A new shopping center on the southwest corner would be bigger (by 15.5 acres) than previously expected.

ANALYSIS

The Annexation, General Plan Amendment, and Rezoning are the first steps necessary to develop this property if it is to be done within the City of Lodi. In all likelihood, the County of San Joaquin, the City, and the Local Area Formation Commission (LAFCO) would be opposed to allowing urbanization to occur so close to the incorporated boundary, yet still be in the county. The area is included in the City's sphere of influence and the General Plan, meaning the City has expectations about development at this location. We have anticipated growth and expansion of City boundaries here, and are planning to accommodate this property with City utilities and other services, so it makes sense to all parties involved that prior to any development, the property be brought under the auspices of the City.

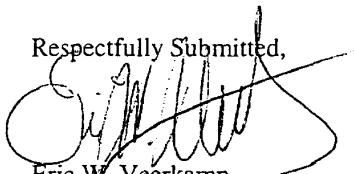
As planned, the western terminus of the portion of the subject parcel in question will be the edge of a planned north-south running minor collector street with a signalized intersection at Kettleman Lane. This street will serve development on both the north and south sides of Kettleman Lane including the subject site. In order to provide the necessary land area for desired development and to provide necessary infrastructure, i.e., the new roadway, staff is recommending approval of the annexation as per the conditions on the attached Resolutions.

If and when the requested actions are approved by the Planning Commission, this request is still subject to approval by the Lodi City Council, and the Local Area Formation Commission (LAFCO). Further, any commercial development at the subject location would require additional discretionary approvals from the Planning Commission in the form of Use Permit approval, and Site Plan and Architectural Review Committee (SPARC) approval. Staff sees no objection to annexing this property to the City and changing the land use designations to pave the way for commercial shopping center development.

RECOMMENDATION

Staff recommends that the Planning Commission approve the request of Lodi Southwest Associates for 1) a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a Rezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN No. 058-030-0, subject to the conditions on the attached Resolutions.

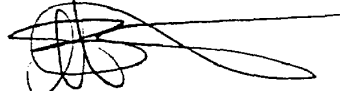
Respectfully Submitted,



Eric W. Veerkamp
Associate Planner

EWV

Reviewed and Concur,



Konrad Bartlam
Community Development Director

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: December 13, 2000

APPLICATION NO'S: Annexation for Lodi Southwest Associates, Annexation, AX-00-03; General Plan Land Use Amendment, GPA LU 00-04; Rezone, Z-00-06.

REQUEST: Request of Lodi Southwest Associates for 1) a General Plan Amendment to change from a PR, Planned Residential designation to a Neighborhood Community Commercial, NCC designation; and 2) a Rezoning from AU-20, Agriculture Urban Reserve to a Commercial Shopping, CS zoning.

LOCATION: 302 State Route 12; Assessors Parcel No. 058-030-01 (just west of south west corner of State Route 12 and Lower Sacramento Road)

APPLICANT: Lodi Southwest Associates, LLP
301 South Ham Lane, Ste. A
Lodi, CA 95242

OWNER: same

Site Characteristics: The rectangular shaped parcel in question is located at 302 State Route 12 and is approximately 52 acres. Currently, the eastern edge of the subject parcel abuts the existing City limits of Lodi. Roughly 15.5 acres is planned to be annexed to the City of Lodi. Upon completion of the annexation, a portion of the parcel 1,246 feet long and 545 feet-wide will become part of the City. The subject parcel has flat topography, and is not actively producing any agricultural crop. Rather, it is covered in weeds.

General Plan Designation: PR, Planned Residential

Zoning Designations: AU-20, Agricultural Urban Reserve (San Joaquin County zoning designation)

Property Size: 52 acres

Adjacent Zoning and Land Use:

North: C-S and R-2; Commercial Shopping and Single Family Residential. To the north of the project site, across State Route 12 is land zoned for both shopping center and residential uses. There is one single family dwelling with outbuildings (an old farmhouse) set back off State Route 12. Remaining land is vacant agricultural land covered with weeds.

South: AU-20 Agricultural Urban Reserve. Adjacent on the south are properties within the jurisdiction of San Joaquin County with a County designation. This land is currently being used as a vineyard.

East: Commercial Shopping, C-S. Adjacent directly on the east is vacant land within the City of Lodi zoned for shopping center uses. The land is currently not supporting any agricultural product, but is covered in weeds.

West: AU-20, Agricultural Urban Reserve. Adjacent on the west side of the property is another property in the County with a county zoning. The land is vacant agricultural land.

Neighborhood Characteristics:

This subject neighborhood is located in the extreme southwest corner of the urbanized area of Lodi. Unofficially, the area is referred to as the "four corners," as it is a busy, prominent intersection. The area contains the largest tracts of land zoned for commercial retail and service businesses, so most of the City's new shopping center commercial uses are being built here. Both the northeast and southeast corners of the intersection of Lower Sacramento Road and Kettleman Lane are developed with shopping center retail stores. Both the northwest and southwest corners are still vacant, but planned for shopping center uses. As the "four corners" continues to develop, it will remain the hub of Lodi's shopping area.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration ND 00-11 has been prepared in accordance with CEQA. This document adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated.

PUBLIC HEARING NOTICE:

Legal Notice for the General Plan Amendment and Rezone and was published on December 3, 2000. A total of 10 notices were sent to all property owners of record within a 300-foot radius of the subject property.

RECOMMENDATION:

Staff recommends approval of the request of the Lodi Southwest Associates for 1) a General Plan Amendment to change from an PR, Planned Residential designation to a NCC, Neighborhood Community Commercial designation; and 2) a Prezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for the property located at 302 State Route 12, APN 058-030-01. The recommendations shall be subject to the conditions listed in the attached resolutions.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

ATTACHMENTS:

1. Vicinity Map
2. Negative Declaration
3. Draft Resolutions



State Route Highway 12 (Kettleman Lane)

302 S.R. 12

2749

2640

City Limits

South Lower Sacramento Road

Wal Mart Center

Lodi Southwest Associates
302 State Route Highway 12
Annex., General Plan Amendment, Prezone
File No's. AX-00-03, GPA-LU-00-04, Z-00-06, ND-00-11

ORDINANCE NO. _____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE
OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY
PREZONING A 15.5 ACRE PORTION OF THE PROPERTY LOCATED
AT 302 STATE ROUTE HIGHWAY 12 (APN #058-030-01) FROM AU-20,
AGRICULTURE URBAN RESERVE TO CS, COMMERCIAL SHOPPING

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

A portion of the property located at 302 State Route Highway 12 (APN #058-030-01) is hereby prezoned as follows:

15.5-acre parcel – CS, Commercial Shopping, as shown on the Vicinity Map on file in the office of the City Clerk.

Section 2. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of ____ day of _____, 2001

ALAN NAKANISHI
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held March 7, 2001 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2001 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

RANDALL A. HAYS
City Attorney

RESOLUTION NO. 2001-59

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING
THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY
REDESIGNATING THE PROPERTY LOCATED AT 302 STATE
ROUTE HIGHWAY 12, FROM PR, PLANNED RESIDENTIAL
TO NCC, NEIGHBORHOOD COMMUNITY COMMERCIAL

=====

BE IT RESOLVED, by the City Council of the City of Lodi, that the Land Use Element of the Lodi General Plan is hereby amended by redesignating a 15.5 acre portion of the property located at 302 State Route Highway 12 from PR, Planned Residential to NCC, Neighborhood Community Commercial, as shown on Exhibit "A" attached, which is on file in the office of the Lodi City Clerk; and

BE IT FURTHER RESOLVED that a Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. PC-00-28.

Dated: March 7, 2001

=====

I hereby certify that Resolution No. 2001-59 was passed and adopted by the Lodi City Council in a regular meeting held March 7, 2001 by the following vote:

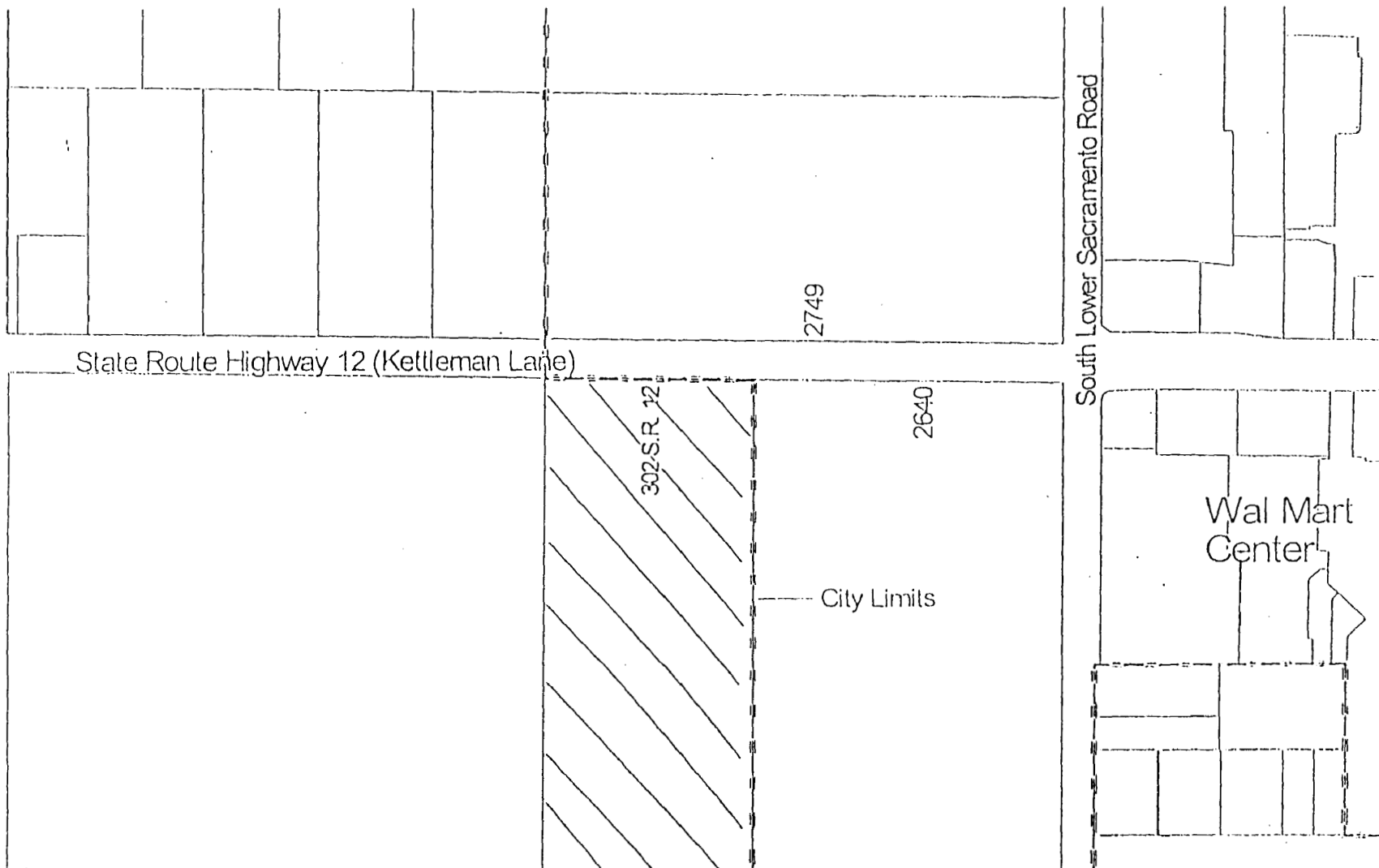
AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and
Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



Lodi Southwest Associates
302 State Route Highway 12
Annex., General Plan Amendment, Prezone
File No's. AX-00-03, GPA-LU-00-04, Z-00-06, ND-00-11

RESOLUTION NO. 2001-60

A RESOLUTION OF THE LODI CITY COUNCIL FOR APPLICATION TO
THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION
COMMISSION IN THE MATTER OF THE **SOUTHWEST ASSOCIATION**
ANNEXATION/REORGANIZATION, INCLUDING THE DETACHMENT
OF CERTAIN TERRITORY WITHIN THE AREA PROPOSED FOR
ANNEXATION TO THE CITY OF LODI

=====

WHEREAS, this proposal is made pursuant to the Local Government Reorganization Act; and

WHEREAS, the nature of the proposed change of organization is the annexation to the City of Lodi of an area comprising of 15.5 acres portion more or less adjacent to the City limits located at 302 State Route Highway 12; and withdrawal of said 15.5 acres from the Woodbridge Rural County Fire Prevention District, Woodbridge Irrigation District, and the San Joaquin County Resource Conservation District, located within the area to be annexed to the City of Lodi, (APN's 058-030-01), as described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the subject area proposed to be annexed to the City of Lodi and detached from the Woodbridge Rural County Fire Protection District, Woodbridge Irrigation District, and the San Joaquin County Resource Conservation District is uninhabited; and

WHEREAS, no new districts are proposed to be formed by this reorganization; and

WHEREAS, the reasons for this proposal are as follows:

(1) The uninhabited subject area is within the urban confines of the City and will generate service needs substantially similar to that of other incorporated urban areas which require municipal government service;

(2) Annexation to the City of Lodi of the subject area will result in improved economics of scale in government operations while improving coordination in the delivery of planning services;

(3) The residents and taxpayers of the County of San Joaquin will benefit from the proposed reorganization as a result of savings to the County by reduction of County required services in unincorporated but urban oriented area;

(4) The subject area proposed to be annexed to the City of Lodi is geographically, socially, economically and politically part of the same urban area of which the City of Lodi is also a part;

(5) The subject area is within the Lodi Sphere of Influence; and

(6) Future inhabitants in the subject area will gain immediate response in regard to police and fire protection, unlimited City garbage and trash collection service, street lighting service, a modern sewer system, other municipal services, and improvement of property values.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the San Joaquin County Local Agency Formation Commission is hereby requested to approve the proposed "Southwest Association Reorganization" which includes annexation of 15.5 acres more or less, and detachment from the Woodbridge Rural County Fire Protection District, Woodbridge Irrigation District, and the San Joaquin County Resource Conservation District as described in Exhibit A attached hereto. This is all subject to the aforementioned terms and conditions.

Dated: March 7, 2001

=====

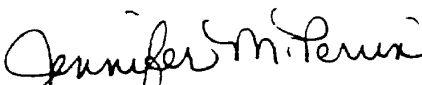
I hereby certify that Resolution No. 2001-60 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 7, 2001 by the following vote:

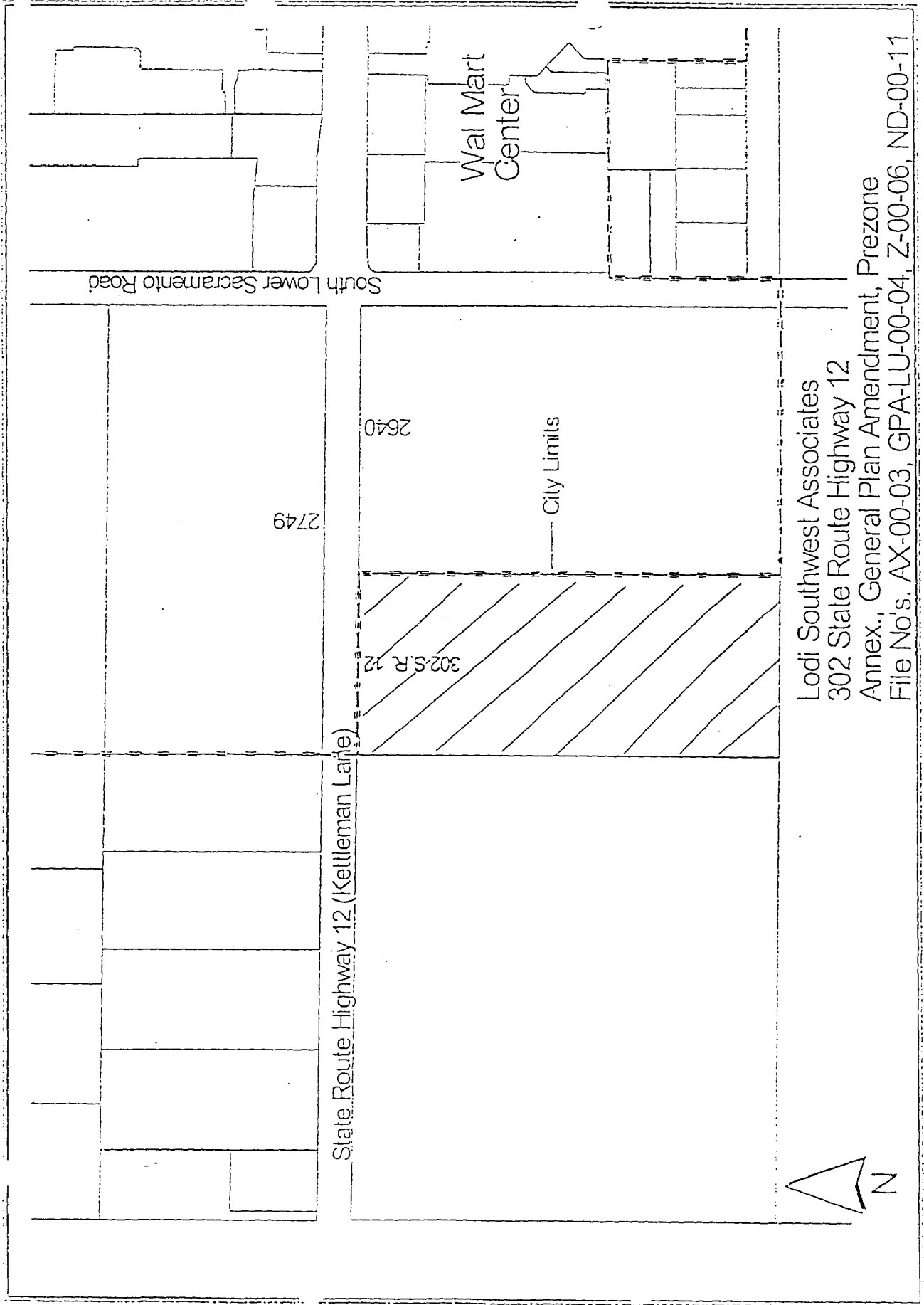
AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land,
Pennino and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


JENNIFER M. PERINI
for City Clerk



Lodi Southwest Associates
302 State Route Highway 12
Annex., General Plan Amendment, Prezone
File No's. AX-00-03, GPA-LU-00-04, Z-00-06, ND-00-11



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: March 7, 2001

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, March 7, 2001** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Planning Commission's recommendation that the City Council 1) adopt a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a Rezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN #058-030-01 and to initiate annexation of the property into the City of Lodi

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: February 21, 2001

Approved as to form:

Randall A. Hays
City Attorney



DECLARATION OF MAILING

Set Public Hearing for March 7, 2001 re: Southwest Associates **302 State Route Highway 12 general plan amendment and rezoning**

On February 22, 2001 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

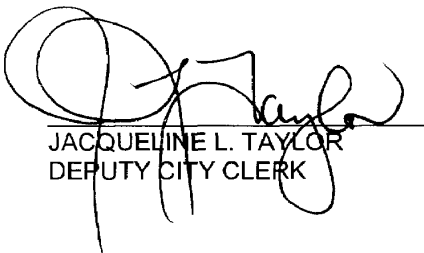
I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 22, 2001, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:


JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

Southwest Associates

302 State Route Highway 12

	FirstName	LastName	Address1	City	State	PostalCode
1)	Carolyn Hines	Reichmuth	1358 Midvale RD.	Lodi	CA	95242
2)	Lodi Southwest Associates LP		301 S Ham Ln STE A	Lodi	CA	95242
3)	Van Ruiten Ranch LTD John C & Ann Van Ruiten		463 W Turner Rd.	Lodi	CA	95242
4)	Geweke Family PTP		PO BOX 1210	Lodi	CA	95241
5)	Mexican American Catholic Fed		PO BOX 553	Lodi	CA	95241
6)	Lamar A & Joann A TR	Hedrick	209 E HWY 12	Lodi	CA	95242
7)	Leroy L & GD	Dollinger	101 E Highway 12	Lodi	CA	95242
8)	David L. David F.	Dollinger	101 E HWY 12	Lodi	CA	95242
9)	Bob K. & Judith	Brown	35 E HWY 12	Lodi	CA	95242